

Jim Doyle  
Governor

Celia M. Jackson  
Secretary

**WISCONSIN DEPARTMENT OF  
REGULATION & LICENSING**



1400 E Washington Ave  
PO Box 8935  
Madison WI 53708-8935  
Email: web@drl.state.wi.us  
Voice: 608-266-2112  
FAX: 608-267-0644  
TTY: 608-267-2416

**PHARMACY EXAMINING BOARD  
Room 179A, 1400 East Washington Avenue, Madison  
Contact: Tom Ryan (608) 266-8098  
June 22, 2005  
8:00 A.M.**

CLOSED SESSION (Room 291) – Screening panel – Screen informal complaints – Cynthia Benning,  
John Bohlman, Georgina Forbes and Division of Enforcement staff

**9:00 A.M.**

**OPEN SESSION - CALL TO ORDER – ROLL CALL**

Welcome New Appointment(s)

- A. Approval of Agenda
- B. Approval of Minutes of April 13, 2005
- Presentation of stipulation, final decision and order in the matter concerning Michael L. Chew by Attorney Jeanette Lytle – Case Advisor – Cynthia Benning
- Presentation of stipulation, final decision and order in the matter concerning Heidi Timmerman by Attorney Jeanette Lytle – Case Advisor – Cynthia Benning

- C. Administrative Report, Including:
  - Budget status
  - Small Business Regulatory Review Board
  - Medical Examining Board appointment to the Pharmacy Advisory Council – status
  - 2006 examination and meeting dates
  - NABP Program Review and Training Invitation
  - American Institute of the History of Pharmacy request for recommendations
- D. DEA Theft and Loss Reports
  - Walgreens #7370 Theft and Loss Report
  - Monthly Form 106 Reports from DEA
- E. Wis. Admin. Code § 6.08 – alarm system variance
  - Consideration of final rule for adoption
- F. Wis. Admin. Code § 7.04 – return or exchange of health items
  - Review of Clearinghouse Comments
  - Public Hearing – 9:30 a.m.

Wis. Admin. Code § 7.05 – drug transfers - status

- G. Summary Reports on Pending Court Cases, Disciplinary Cases, Administrative Rules and Legislation, Including the following and any legislation introduced after the publishing of the agenda:
  - 2005 SB 78 - pseudoephedrine and other materials used to produce Methamphetamine
  - 2005 AB 258 – drug product equivalents
  - 2005 AB 269 – prescription drug labels
  - CR 04-142– Expanding cancer drug repository program – rules status
  - AB 197- chronic disease drug repository program
  - Scope statement re: Wis. Admin. Code § 8.02 - discussion
- H. Legislative Liaison Report – Sue Sutter  
out-of-state licensure – update – Mike Bettiga
- I. Remote dispensing
  - Review of draft legislation

DEA Interim Policy Statement – status update as needed

- J. Variance Request – Pyxis profiling – Bellin Health – Michael Stiller, R.Ph. – Green Bay, WI – APPEARANCE – 10: 10 a.m.
- K. Variance Request – Out of state central filling – Medicap Pharmacy #72 – James L. Jernege, R.Ph. – New London, WI
- L. Variance Request – Out of state central filling – Crivitz Pharmacy – Richard A. Smith – Crivitz, WI

Variance Requests received in the bureau after mailing of the agenda

- M. Practice Question — Space use – True Botanica - Mark Kamsler – Delafield, WI
- N. Practice Question – Call center for multiple pharmacies - Marshfield Clinic – David Wunrow – Marshfield, WI
- O. Board Written Approval Request – Central processing unit for transfers – Wal-mart/Sam’s Club – Ben Thankachan – (e-mail)
- P. Foreign Graduate Internship Requirements - discussion

Licensing Liaison Report

Pain Policy Educational Conference Q & A Review – Pain Management and Regulatory Issues – Sue Sutter and William Black

Practice Questions received in the bureau after mailing of the agenda

- Q. NABP Meeting Report – John Bohlman
- Suspended pharmacists working as Technicians - discussion  
Consultation Examination work group - update

R. Informational Items

Motion to Invite New Appointment(s) Into Closed Session

CONVENE TO CLOSED SESSION to deliberate on case(s) following hearing (Wis. Stat. § 19.85 (1)

(a)); consider closing disciplinary investigation(s) with administrative warning(s) (Wis. Stat. § 19.85 (1) (b) and 440.205); to consider individual histories or disciplinary data ( Wis. Stat. § 19.85 (1) (f)); and to confer with legal counsel (Wis. Stat. § 19.85 (1) (g)

- S. Deliberation of stipulation, final decision and order in the matter concerning Michael L. Chew – Case Advisor – Cindy Benning
- T. Deliberation of stipulation, final decision and order in the matter concerning Heidi Timmerman – Case Advisor – Cynthia Benning
- U. Consideration of administrative warnings in Case 05 PHM 002
- V. Consideration of administrative warning in Case 04 PHM 081
- W. Consideration of administrative warning in Case 03 PHM 067
- X. Consideration of case closing – Walgreens # 05281 – Delafield, WI - 04 PHM 081
- Y. Consideration of case closing – Hillestad Pharmaceuticals – Woodruff, WI – 04 PHM 074
- Z. Consideration of case closing – Daly Drug/Paul Nelson – 04 PHM 061
- AA. Consideration of case closing – Meriter Home Health Respiratory Care Department – 03 PHM 032
- BB. Review of Candidates Challenges to Scoring of Patient Consultation Examination – Darwin Tichenor, Office of Education and Examinations
- CC. Review of application for reinstatement – Heidi Ewert – Erie, CO
- DD. Review of application for reinstatement – Ricke Waldman – Alexandria, LA
- EE. Review of application – Savitha Chacko – Schaumburg, IL
- FF. Review of Order Fixing Costs in the matter of disciplinary proceedings against Neil T. Noesen, R.Ph. and Respondent’s Objections to the Order

DOE Monitoring:

- GG. APPEARANCE – 1:35 p.m. - Requesting full reinstatement – Michael O’Kray RPh
- HH. APPEARANCE – 1:45 p.m. - Requesting three month stay - Gerald Jennings RPh
- II. APPEARANCE – 1:55 p.m. - Requesting reinstatement of three month stay - John Schmitt RPh
- JJ. Requesting full licensure - Paul Nelson RPh
- KK. Requesting reinstatement of his stay of suspension - Roger Iverson RPh
- LL. Requesting reinstatement of his stay of suspension - Thomas Triscari RPh
- MM. Requesting three month stay and modifications - Michael Hiller RPh
- NN. Requesting three month stay and modifications - Thomas Pire RPh
- OO. Requesting three month stay and modifications - Andrew Rice RPh
- PP. Requesting three month stay and modifications - Charlene Willis RPh

QQ. Requesting three month stay and possible non compliance - Duane Oestreich RPh  
RR. Review of termination of stay - Lance Lundstad RPh  
Deliberation of proposed stipulations that may be received in the bureau after mailing of agenda  
Deliberation of proposed decisions that may be received in the bureau after mailing of the agenda  
Consider closing(s) of disciplinary investigation(s) with administrative warning(s) that may be received in the bureau after mailing of the agenda  
Deliberation of monitoring reports that may be received in the bureau after mailing of agenda  
Division of Enforcement – case status report/case closings  
Division of Enforcement – meeting with individual board members  
Review of Applications that may be received in the bureau after mailing of agenda  
SS. Consulting with legal counsel, Including:

- Neil Noesen v. State of Wisconsin Department of Regulation and Licensing Pharmacy Examining Board – Barron County Case Number 2005CV000212

Examination issues received in the bureau after mailing of the agenda

Validation of Examination Scores

Application Issues received in the bureau after mailing of the agenda

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

Voting on items deliberated or considered in closed session if voting is appropriate

ADJOURNMENT

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MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC UNLESS OTHERWISE NOTED. IF A BOARD ADJOURNS TO CLOSED SESSION, RECONVENES IN OPEN SESSION TO VOTE ON ITEMS CONSIDERED IN CLOSED SESSION, AND DURING VOTING DETERMINES THAT ADDITIONAL DELIBERATIONS ARE NECESSARY FOR VOTING, THE BOARD MAY ADJOURN TO CLOSED SESSION TO CONTINUE DELIBERATIONS AND THEN RECONVENE INTO OPEN SESSION FOR VOTING.

Meetings and hearings may be cancelled without notice. Times listed for meeting items are approximate and depend on the length of discussion and voting. The board may also consider in closed session, stipulations filed after the printing of this notice. Meetings may be confirmed by a telephone call to the listed contact person. Examinations are open only to authorized candidates. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. All meetings are held at 1400 East Washington Avenue, Madison, Wisconsin, unless otherwise noted. For a complete copy of the board's agenda, contact the board listed above. Interpreters for the hearing impaired provided on request. Contact the Affirmative Action Officer, (608) 266-2112.